

JOURNAL OF THE HOUSE.

Monday, December 19, 2005.

Met according to adjournment, at eleven o'clock A.M., with Mr. Petrolati of Ludlow in the Chair (having been appointed by the Speaker, under authority conferred by Rule 5, to perform the duties of the Chair).

Prayer was offered by the Reverend Robert F. Quinn, C.S.P., Chaplain of the House, as follows:

Ever-Faithful God, during this season of lights and goodwill towards all, Your gift of wisdom enables us, Your children, to see more clearly current legislative and policy issues. Your gift also helps us to evaluate the consequences of our personal choices as we carry out our constitutional responsibilities. In our diverse communities and cultures, teach us to reason together in our search for fair, just and ethical answers to our many and varied legislative challenges in these changing times. Help us to cope with the stress of each day and to remain faithful to our ideals, goals and principles, both human and spiritual.

Prayer.

Grant Your blessings to the Speaker, the members and employees of this House and their families. Amen.

At the request of the Chair (Mr. Petrolati), the members, guests and employees joined with him in reciting the pledge of allegiance to the flag.

Pledge of
allegiance.

Silent Prayer.

At the request of Representatives Linsky of Natick and Peisch of Wellesley, the members, guests and employees stood in a moment of silent prayer in memory of Marshal Lebowitz, a long-time resident of Natick. Mr. Lebowitz, a former school committee member, planning board member and town meeting member, passed away on Saturday.

Silent
Prayer.

Resolutions.

Resolutions (filed with the Clerk by Mr. Coughlin of Dedham) in honor of the fiftieth anniversary of the Greenlodge School, were referred, under Rule 85, to the committee on Rules.

Greenlodge
School.

Mr. Petrolati of Ludlow, for the committee on Rules, then reported that the resolutions ought to be adopted. Under suspension of the rules, on motion of Mr. Donato of Medford, the resolutions (reported by the committee on Bills in the Third Reading to be correctly drawn) were considered forthwith; and they were adopted.

Petitions.

Petitions severally were presented and referred as follows:

By Mr. Kane of Holyoke, petition (accompanied by bill, House, No. 4579) of Michael F. Kane and Michael R. Knapik (with the approval of the mayor and city council) relative to preliminary elections in the city of Holyoke. To the committee on Election Laws.

Holyoke,
elections.

Methuen,
Matthew A.
Kraunelis.

By Mr. Broadhurst of Methuen, petition (accompanied by bill, House, No. 4580) of Arthur J. Broadhurst and Steven A. Baddour (with the approval of the mayor and city council) relative to the eligibility of Matthew A. Kraunelis to the position of chief of staff to the mayor of the city of Methuen. To the committee on Municipalities and Regional Government.

Severally sent to the Senate for concurrence.

Black Hills
Reservation.

Petitions severally were presented and referred as follows:

By Mr. Ayers of Quincy, petition (subject to Joint Rule 12) of Bruce J. Ayers relative to the protection of certain wetlands in the Blue Hills Reservation.

M.B.T.A.,
tax
payments.

By Mr. Connolly of Everett, petition (subject to Joint Rule 12) of Edward G. Connolly and others for an investigation by a special commission (including members of the General Court) relative to the feasibility of the Massachusetts Bay Transportation Authority making in lieu of tax payments to certain cities and towns.

Judges,
etc.,
memoranda.

By Ms. Gobi of Spencer (by request), petition (subject to Joint Rule 12) of Steven Drury that judicial officers be required to provide certain memoranda of decisions made by such legal officers of the courts.

Employees,
drug
testing.

By the same member (by request), petition (subject to Joint Rule 12) of Steven Drury for legislation to regulate drug testing of employees by public and private employers as a condition for employment in the Commonwealth.

Bail,
payment.

By Mr. Keenan of Salem, petition (subject to Joint Rule 12) of Brian P. Wallace and others for legislation to further regulate the payment of bail in courts of the Commonwealth.

Court
fees.

By the same member, petition (subject to Joint Rule 12) of Brian P. Wallace and others relative to the fee for filing requests with the Commissioner of Probation for the sealing of certain court files.

Ellen
Briggs,
sick leave
bank.

By Mr. Koutoujian of Waltham, petition (subject to Joint Rule 12) of Peter J. Koutoujian for legislation to establish a sick leave bank for Ellen E. Briggs, an employee of the Trial Court of the Commonwealth.

Beds,
publicly
funded.

By the same member, petition (subject to Joint Rule 12) of Peter J. Koutoujian and Rhonda Bourne that the Department of Public Health be required to hold public hearings before the removal of publicly-funded beds under the jurisdiction of the Commonwealth.

Weymouth,
Robert B.
Ambler
Walkway.

By Mr. Murphy of Weymouth, petition (subject to Joint Rule 12) of James M. Murphy and others for legislation to designate a certain portion of the Webb Memorial State Park in the town of Weymouth as the Robert B. Ambler Walkway.

Electricians,
licensing.

By Mr. Pignatelli of Lenox, petition (subject to Joint Rule 12) of William Smitty Pignatelli relative to the licensing of certain electricians.

Prisoners,
DNA
samples.

By Ms. Rivera of Springfield, petition (subject to Joint Rule 12) of William Bennett for legislation to regulate the submission of DNA samples by certain prisoners to the Department of the State Police.

Rowley,
land
disposition.

By Ms. Stanley of West Newbury, petition (subject to Joint Rule 12) of Bruce E. Tarr that the Department of Conservation and

Recreation be authorized to exchange certain land in the town of Rowley for certain other land located in said town.

Severally, under Rule 24, to the committee on Rules.

Paper from the Senate.

A Bill authorizing part-time employment at Quincy College by city councilors of the city of Quincy (Senate, No. 2033) (on a petition) [Local Approval Received], passed to be engrossed by the Senate, was read; and it was referred, under Rule 7A, to the committee on Steering, Policy and Scheduling.

Quincy,
city
councilor
employment.

Reports of Committees.

By Mr. Scaccia of Boston, for the committee on Rules and the committees on Rules of the two branches, acting concurrently, that Joint Rule 12 be suspended on the petition of Antonio F. D. Cabral and others that the Board of Education be directed to establish full-day programs for children attending kindergarten classes. Under suspension of the rules, on motion of Mrs. Paulsen of Belmont, the report was considered forthwith. Joint Rule 12 was suspended; and the petition (accompanied by bill) was referred to the committee on Education. Sent to the Senate for concurrence.

Kindergarten,
full day.

By Mr. Donato of Medford, for the committee on Steering, Policy and Scheduling, asking to be discharged from further consideration of the Bill relative to the recycling of ink cartridges (Senate, No. 534),—and recommending that the same be referred to the committee on the Judiciary. Under Rule 42, the report was considered forthwith; and it was accepted. Sent to the Senate for concurrence in the reference.

Ink
cartridges,
recycle.

By Mr. Mariano of Quincy, for the committee on Financial Services, on House, No. 1548, a Bill relative to group marketing plans (House, No. 4577). Read; and referred, under Rule 7A, to the committee on Steering, Policy and Scheduling.

Group
marketing
plans.

Mr. Donato of Medford, for said committee, reported that the matter be scheduled for consideration by the House.

Under suspension of the rules, on motion of Mr. Flynn of Bridgewater, the bill was read a second time forthwith; and it was ordered to a third reading.

By Ms. Kaprielian of Watertown, for the committee on Municipalities and Regional Government, on a petition, a Bill providing for the establishment of a department of public works in the town of East Bridgewater (House, No. 4547) [Local Approval Received]. Read; and referred, under Rule 7A, to the committee on Steering, Policy and Scheduling.

East
Bridgewater,
public works.

Mr. Donato of Medford, for said committee, reported that the matter be scheduled for consideration by the House.

Under suspension of the rules, on motion of Mrs. Teahan of Whitman, the bill was read a second time forthwith; and it was ordered to a third reading.

Automatic
amusement
devices.

By Mr. DeLeo of Winthrop, for the committee on Ways and Means, that the Bill relative to automatic amusement devices (Senate, No. 1350, amended) ought to pass. Referred, under Rule 7A, to the committee on Steering, Policy and Scheduling.

School
nurses,
rights.

By Mrs. Haddad of Somerset, for the committee on Education, on House, Nos. 1021, 1087 and 3876, a Bill relative to the rights of school nurses (House, No. 1087).

Autistic
children,
special
education.

By the same member, for the same committee, on a petition, a Bill to address the special education needs of children with autism spectrum disorder (House, No. 1123).

Martha's
Vineyard,
land lease.

By the same member, for the same committee, on House, No. 1204, a Bill authorizing the Martha's Vineyard Regional High School District to lease certain land (House, No. 4574).

Cherry Valley/
Rochdale
Water
District.

By Mr. Smizik of Brookline, for the committee on Environment, Natural Resources and Agriculture, on a petition, a Bill relative to the Cherry Valley and Rochdale Water District (House, No. 1290).

Public water
supply,
protection.

By the same member, for the same committee, on House, No. 1275, a Bill providing for the protection of public water supply (House, No. 4575).

Water
pollution.

By the same member, for the same committee, on House, No. 1396, a Bill relative to the pollution of water by certain toxic chemicals (House, No. 4576).

Shrewsbury,
land lease.

By Ms. Kaprielian of Watertown, for the committee on Municipalities and Regional Government, on a petition, a Bill authorizing the town of Shrewsbury to lease certain land (House, No. 4205) [Local Approval Received].

Malden,
public
facilities
department.

By the same member, for the same committee, on a petition, a Bill establishing a department of public facilities in the city of Malden (House, No. 4458) [Local Approval Received].

Bourne
Water
District.

By the same member, for the same committee, on a petition, a Bill relative to the Bourne water district's enabling act (House, No. 4459) [Local Approval Received].

Westborough,
waste water.

By the same member, for the same committee, on a petition, a Bill relative to the treatment of waste water in the town of Westborough (House, No. 4484) [Local Approval Received].

Shrewsbury,
waste water.

By the same member, for the same committee, on a petition, a Bill relative to the treatment of waste water in the town of Shrewsbury (House, No. 4485) [Local Approval Received].

Hanson,
town
administrator.

By the same member, for the same committee, on a petition, a Bill establishing a town administrator in the town of Hanson (House, No. 4524) [Local Approval Received].

Kingston,
sewer
commission.

By the same member, for the same committee, on a petition, a Bill relative to the sewer commission of the town of Kingston (House, No. 4528) [Local Approval Received].

Severally read; and referred, under Rule 7A, to the committee on Steering, Policy and Scheduling.

Engrossed Bills.

Engrossed bills

Bills
enacted.

Authorizing the town of Palmer to grant two additional licenses for the sale of all alcoholic beverages to be drunk on the premises (see Senate, No. 2281) (which originated in the Senate);

Relative to the charter of the town of Harwich (see House, No. 4198); and

Relative to the board of selectmen of the town of Topsfield (see House, No. 4224, changed);

(Which severally originated in the House);

Severally having been certified by the Clerk to be rightly and truly prepared for final passage, were passed to be enacted; and they were signed by the acting Speaker and sent to the Senate.

Orders of the Day.

The Senate Bill relative to the Montachusett Regional Planning Commission (Senate, No. 1405), reported by the committee on Bills in the Third Reading to be correctly drawn, was read a third time; and it was passed to be engrossed, in concurrence.

Third
reading
bill.

The House Bill extending the simulcast expiration date for the horse and greyhound racing industry in the Commonwealth (House, No. 4571), was considered.

Horse and
greyhound
simulcasting,
extension.
Quorum.

Pending the question on adoption of the amendment offered, at the sitting of Wednesday last, by Mr. Flynn of Bridgewater, and the main question on ordering the bill to a third reading, Mr. Ross of Wrentham asked for a count of the House to ascertain if a quorum was present.

A quorum not being in attendance, the Chair (Mr. Petrolati of Ludlow), at twenty-nine minutes before twelve o'clock noon, under the provisions of Rule 82, declared an adjournment of the House until tomorrow at eleven o'clock A.M., in an Informal Session.